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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/077,659	02/15/2002	Nicolai Bohm	tesa AG 1518-WCG	2959		
27386	7590 07/07/2003			4		
	GERSTENZANG	EXAM	EXAMINER			
220 EAST 42	CLAUGHLIN & MARC 2ND STREET, 30TH FI	WATKINS III, WILLIAM P				
NEW TORK	L, NY 10017		ART UNIT	PAPER NUMBER		
			1772			
			DATE MAILED: 07/07/2003	DATE MAILED: 07/07/2003		

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.   Applicant(s)   BOHM   Examiner   William P. Watkins III   1772    Period for Reply   A SHORTEND STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(s) FROM THE MAIL/ING DATE of this communication appears on the cover sheet with the correspondence address = Period for Reply   A SHORTEND STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(s) FROM THE MAIL/ING DATE OF THIS COMMUNICATION.   Extensions of time may be enabled under the provisions of 37 CFR 1.185(a). In no event, however, may a reply be timply filed with 50 kG (b) MONTH's from the mailing dear of the seminary share expendent of the provision of 10 CFR 1.185(a). In no event, however, may a reply be timply filed with 50 kG (b) MONTH's from the analysis of the communication with 50 kG (b) MONTH's from the analysis of the communication with 50 kG (b) MONTH's from the analysis of the communication with 50 kG (b) MONTH's from the expendent of the communication with 50 kG (b) MONTH's from the explication of the provision of the priority documents have been received in Application No.   1   Month of the provision of the priority documents have been received in this National Stage application from the international Bureau (PCT Rule 17.2(a)).   1   Month of the provision of the priority documents have been rec		<u> </u>		4				
Office Action Summary    The MalLING DATE of this communication appears on the cover sheet with the correspondence address   Period for Reply	-	Application No.	Applicant(s)	IX.				
William P. Walkins III		10/077,659	вонм	/				
The MALLING DATE of this communication appears on the cover sheet with the correspondence address — Period for Repty  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION.  Edutations of the many be available under the provisions of 3 CFR 1-136(e). In a event, however, may a neply be finally filled at the ISK (5) MONTHS from the uniting date and the ISK (7) MONTHS from the maining date and the ISK (7) MONTHS from the maining date of the MONTHS from the maining date of the MONTHS from the maining date of the month of the ISK (7) MONTHS from the maining date of the month of the ISK (7) MONTHS from the maining date of this communication.  Finally for each of the maining date of the communication of the communication to become ARMHONED (30 U.S.C. § 133).  **Status**  1) □ Responsive to communication(s) filled on 15 February 2002.  2a) □ This action is FINAL.  2b) □ This action is FINAL.  2b) □ This action is produced with the practice under Ex parte Quayle, 1935 c.D. 11, 453 O.G. 213.  Disposition of Claims  4) □ Claim(s) 1.22 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5b) □ Claim(s) is/are allowed.  6c) □ Claim(s) is/are allowed.  6c) □ Claim(s) is/are abjected to.  8c) □ Claim(s) is/are abjected to.  8c) □ Claim(s) is/are abjected to by the Examiner.  10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner.  11) □ The proposed drawing correction filed on is/are: a) □ accepted or b) □ objected to by the Examiner.  12) □ The oath or declaration is objected to by the Examiner.  13) □ All b) □ some * c) □ None of:  1.□ □ Certified copies of the priority documents have been received.  2.□ □ Certified copies of the priority documents have been received in Application No.  2.□ □ Certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached deflated for the action for domes	Office Action Summary	Examiner	Art Unit					
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  after SIX (e) MONTHS from the mailing date of this communication.  If the period for reply specified above, the reactions related to the communication.  If the period for reply specified above, the reactions statutory period will support with the distinctory minimum of thing (30) days, any with the distinctory minimum of thing (30) days, any will be considered timely.  If NO period for reply specified above, the reactions statutory period will support with the statutory minimum of thing (30) days, any enduce any statutory period will support the administration, even if timely filled, many reduce any standard patient term ending communication (s) filled on 15 February 2002.  2a)								
THE MAILING DATE OF THIS COMMUNICATION.  Extendence of them may be available under the provides of 37 CPR 1.13(b). In no event, however, may a reply be limity filed after SIX (6) MONTHS from the mailing date of this communication. If the period or reply specified above is less than thing (9) (9) days, and within the stationary minimum of bathy (30) days will be considered fromly.  If the period or reply specified above is less than thing (9) (9) days, and will be considered fromly.  Failurs to reply veliable the station of the period for reply will, by station, cause the application to become ARANDONED (35 U.S.C. § 133).  Any reply received by the Office and the thus there moving a bath the interval of the consideration of the period of the control of the consideration.  Failurs to reply veliable the station is considered to the communication, over if timely filed, may reduce any saured place them adjustment. See 37 CPR 1.74(b).  Status  1)  Responsive to communication(s) filed on 15 February 2002.  2e)  This action is FINAL.  2b)  This action is FINAL.  2b)  This action is Final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s)  1-21 is/are pending in the application.  4a) Of the above claim(s)  is/are withdrawn from consideration.  5)  Claim(s)  1-21 is/are rejected.  7)  Claim(s)  1-22 is/are allowed.  6)  Claim(s)  1-21 is/are allowed.  6)  Claim(s)  1-21 is/are allowed.  7)  The drawing(s) filed on  1-3 is/are: allowed.  8)  Claim(s)  1-22 is/are allowed.  10)  The drawing(s) filed on  1-3 is/are: allowed.  11)  The proposed drawing some sequined in reply to this Office action.  12)  The proposed drawing correction filed on  1-3 is/are: allowed.  13)  Allowed and the provided drawings are required in reply to this Office action.  12)  The coath or declaration is objected to by the Examiner.  13)  Allowed Sunday of								
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3  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1-21 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5)  Claim(s) is/are allowed.  6)  Claim(s) is/are rejected.  7)  Claim(s) is/are objected to.  8)  Claim(s) are subject to restriction and/or election requirement.  Application Papers  9)  The specification is objected to by the Examiner.  10)  The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11)  The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12)  The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)  All b)  Some * c)  None of:  1.  Certified copies of the priority documents have been received.  2.  Certified copies of the priority documents have been received in Application No  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 119(e) (to a provisional application).  a)  The translation of the foreign language provisional application has been received.  15)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.  Attachment(s)  Information Disdosure Statement(s) (PTO-1449) Paper No(	1) Responsive to communication(s) filed on 15 F	ebruary 2002 .						
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## DETAILED ACTION

- 1. Claim 19 is objected to because of the following informalities: there appears to be no antecedent basis in claim 5 for the word "fiber" in claim 19. Appropriate correction is required.
- 2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The examiner notes that Hamulski has a knit top layer but is not prior art to the instant invention. The other references show various tape structures.
- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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4. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (EP 0959119 A) in view of Gobran (U.S. 5,547,766).

Inoue teaches a masking tape for an automotive application process that has a nonwoven top layer on a polymer substrate with a PSA bottom coating (abstract). Gobran teaches a pressure sensitive tape with a film substrate and a teaching that knit, woven and nonwoven layers can be used on the top of the polymer substrate. The instant invention claims a knit to layer on a polymer substrate with a bottom layer of PSA, and a method of using said tape. It would have been obvious to one of ordinary skill in to substitute a knit or woven layer for the nonwoven layer of Inoue because of teaching of Gobran that these are equivalent reinforcing layers in adhesive tapes. Use of the substituted tape in the known masking process of Inoue would also have been obvious given the suggestion to make a different substrate structure by Gobran. Selection of specific film thickness and coating densities is taken as being within the ordinary skill depending on the specific final application.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William P. Watkins III whose telephone number is 703-308-2420. The examiner works an increased flex time schedule, but can normally

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be reached Monday through Friday, 11:30 A.M. through 8:00 P.M. Eastern Time. The examiner returns all calls within one business day unless an extended absence is noted on his voice mail greeting.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 703-308-4251. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0651.

Williand. Weither De

WW/ww June 30, 2003

WILLIAM P. WATKINS III
PRIMARY EXAMINER